

111TH CONGRESS
1ST SESSION

S. 870

To amend the Internal Revenue Code of 1986 to expand the credit for renewable electricity production to include electricity produced from biomass for on-site use and to modify the credit period for certain facilities producing electricity from open-loop biomass.

IN THE SENATE OF THE UNITED STATES

APRIL 22, 2009

Mrs. LINCOLN (for herself, Mr. ROBERTS, and Ms. SNOWE) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Internal Revenue Code of 1986 to expand the credit for renewable electricity production to include electricity produced from biomass for on-site use and to modify the credit period for certain facilities producing electricity from open-loop biomass.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. MODIFICATION OF RENEWABLE ELECTRICITY**

4 **PRODUCTION CREDIT FOR BIOMASS FACILI-**
5 **TIES.**

6 (a) CREDIT ALLOWED FOR ON-SITE USE OF ELEC-
7 TRICITY PRODUCED FROM BIOMASS.—

1 (1) IN GENERAL.—Subsection (e) of section 45
 2 of the Internal Revenue Code of 1986 is amended by
 3 adding at the end the following new paragraph:

4 “(12) CREDIT ALLOWED FOR ELECTRICITY
 5 PRODUCED FROM BIOMASS FOR ON-SITE USE.—In
 6 the case of electricity produced after December 31,
 7 2008, at any facility described in paragraph (2) or
 8 (3) of subsection (d) which is equipped with a meter-
 9 ing device to determine electricity consumption or
 10 sale, subsection (a)(2) shall be applied without re-
 11 gard to subparagraph (B) thereof with respect to
 12 such electricity produced and consumed at such fa-
 13 cility.”.

14 (2) EFFECTIVE DATE.—The amendment made
 15 by this subsection shall apply to electricity produced
 16 after December 31, 2008.

17 (b) EXTENDED CREDIT PERIOD FOR CERTAIN OPEN-
 18 LOOP BIOMASS FACILITIES.—

19 (1) IN GENERAL.—Clause (ii) of section
 20 45(b)(4)(B) of the Internal Revenue Code of 1986
 21 is amended by striking “5-year period” and insert-
 22 ing “10-year period”.

1 (2) EFFECTIVE DATE.—The amendment made
2 by this subsection shall take effect on the date of the
3 enactment of this Act.

○